

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAREN HEATHERLY, et al.,

No. C-08-0736 MMC

Plaintiffs,

**ORDER DIRECTING PLAINTIFFS TO
SHOW CAUSE WHY ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO
PROSECUTE**

v.

WASHOE HOUSE, INC.,

Defendant

By order filed January 31, 2008, the parties and counsel were ordered to hold a joint inspection of the premises at issue herein and to do so no later than May 12, 2008, (see Scheduling Order for Cases Asserting Denial Of Right to Access Under ADA), which deadline was later extended to May 27, 2008, (see Order Continuing Deadline, filed May 12, 2008). By the same order of January 31, 2008, plaintiffs were ordered to file, no later than 45 days after the joint site inspection, a Notice of Need for Mediation. To date, plaintiffs have not filed a Notice of Need for Mediation.

Accordingly, plaintiffs are hereby ORDERED TO SHOW CAUSE, in writing and no later than August 22, 2008, why the above-titled action should not be dismissed for failure to prosecute. In the event plaintiffs file a Notice of Need for Mediation by August 15, 2008, this Order to Show Cause will stand discharged without further order of the Court.

IT IS SO ORDERED.

Dated: August 1, 2008


MAXINE M. CHESNEY
United States District Judge